PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kalnitsky *et al.*	EXAMINER: Dana Farahani
APPLICATION NO.: 09/882,538	ART UNIT: 2814
FILED: June 15, 2001	CONF. NO: 8283
FOR: **METHOD FOR FORMING A SUPER SELF-ALIGNED HETERO-JUNCTION BIPOLAR TRANSISTOR**	

Information Disclosure Statement After Final Action or Notice of Allowance but Before Payment of Issue Fee – 37 CFR 1.97(d)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

   This information is being filed *after* a final Office action or a Notice of Allowance, whichever occurs first, but before payment of the Issue Fee.

2. Petition – 37 CFR 1.97(d)

   Applicant petitions the Patent and Trademark Office to accept this Information Disclosure Statement in light of the certification under 37 CFR 1.97(e) below, and payment of the fee under 37 CFR 1.97(d)(2).

3. Cited Information

   ☒ Copies of the following references are enclosed:

   ☒ All cited references on PTO 1449 Form
   ☐ References marked by asterisks
   ☐ The following:

[/BY023030.068]   1

☐ Copies of the following references can be found in parent U.S. Application No.   :

    ☐ All cited references
    ☐ References marked by asterisks
    ☐ The following:

4.   <u>Effect of Information Disclosure Statement (37 CFR 1.97(h))</u>

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

5.   <u>Certification Under 37 CFR 1.97(e)</u> (check one)

☐ In accordance with 37 CFR 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or

☐ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

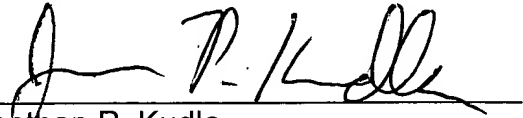6.   <u>Fee Payment – 37 CFR 1.97(d)(2)</u>

☒ Check enclosed for $180.00 Information Disclosure Statement Fee as set forth in 37 CFR §1.17(p).

☐ Please charge the fee to Deposit Account No. 50-2207; this paper is provided in triplicate.

☐ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

7.   <u>Patent Term Adjustment (37 CFR 1.704(d))</u>

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any

individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this statement. 37 CFR §1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: October 30, 2002

Jonathan P. Kudla
Registration No. 47,724

Correspondence Address:
Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300